

## § 1702.8

### § 1702.8 Decision to grant or deny requests for amendment of individual records.

(a) *Notification procedures.* Within 10 business days following receipt of a request for amendment of records, the Privacy Act Officer shall send a written acknowledgment of receipt to the requesting individual. As soon as reasonably possible, normally within 30 business days from the receipt of the request for amendment, the Privacy Act Officer shall send a written notification to the individual that informs him/her of the decision to grant or deny, in whole or in part, the request for amendment.

(b) *Amendment procedures.* If the request is granted, in whole or in part, the requested amendment shall be made to the subject record. A copy of the amended record shall be provided to all prior recipients of the subject record in accordance with § 1702.12(b).

(c) *Denial procedures.* If the request is denied, in whole or in part, the Privacy Act Officer shall include in the written notification the reasons for the denial and an explanation of the right to appeal the denial, as set forth in § 1702.9.

[63 FR 8844, Feb. 23, 1998. Redesignated and amended at 65 FR 81327, Dec. 26, 2000]

### § 1702.9 Appeals of the initial decision to deny access to or amendment of individual records.

Any individual may appeal the initial denial, in whole or in part, of a request for access to or amendment of his/her record. To appeal, the individual must submit a written appeal, within 30 business days following receipt of written notification of denial, to the Privacy Act Appeals Officer, Office of Federal Housing Enterprise Oversight, 1700 G Street, NW., Fourth Floor, Washington, DC 20552. Both the envelope and the appeal request should be marked "Privacy Act Appeal." The appeal should include—

(a) The information specified for requests for access in § 1702.3(b)(3) or for requests for amendment in § 1702.7, as appropriate;

(b) A copy of the initial denial notice; and

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(c) Any other relevant information for consideration by the Privacy Act Appeals Officer.

[63 FR 8844, Feb. 23, 1998. Redesignated and amended at 65 FR 81327, Dec. 26, 2000]

### § 1702.10 Decision to grant or deny appeals.

(a) *Notification of decision.* Within 30 business days following receipt of the appeal, the Privacy Act Appeals Officer shall send a written notification of the decision to grant or deny to the individual making the appeal. The Privacy Act Appeals Officer may extend the 30-day notification period for good cause. If the time period is extended, the Privacy Act Appeals Officer shall inform in writing the individual making the appeal of the reason for the extension and the expected date of the final decision.

(b) *Appeal granted.* If the appeal for access is granted, in whole or in part, the Privacy Act Appeals Officer shall provide the individual with reasonable time to inspect the requested records at OFHEO during normal business hours or mail a copy of the requested records to the individual. If the appeal for amendment is granted, in whole or in part, the requested amendment shall be made. A copy of the amended record shall be provided to all prior recipients of the subject record in accordance with § 1702.12(b).

(c) *Appeal denied.* If the Privacy Act Appeals Officer denies, in whole or in part, the appeal for access or amendment, he/she shall include in the written notification of the reasons for the denial an explanation of the right to seek judicial review of the final decision, and, with respect to an appeal for amendment, the right to submit a statement of disagreement under paragraph (d) of this section.

(d) *Statements of disagreement and explanation.* (1) Upon receipt of a decision to deny, in whole or in part, the appeal for amendment of records, the individual may file a statement with the Privacy Act Appeals Officer that sets forth his/her reasons for disagreeing with the decision. The Privacy Act Appeals Officer shall attach the statement of disagreement to the record that is the subject of the request for